

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>UNITED STATES OF AMERICA and</b>	)	
<b>the STATE OF TENNESSEE ex rel.</b>	)	
<b>GARY ODOM and ROSS LUMPKIN,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3:17-cv-00689</b>
	)	
<b>SOUTHEAST EYE SPECIALISTS,</b>	)	
<b>PLLC, SOUTHEAST EYE SURGERY</b>	)	
<b>CENTER, LLC, EYE SURGERY</b>	)	
<b>CENTER OF CHATTANOOGA, LLC,</b>	)	
<b>DARYL F. MANN, and JOHN R.</b>	)	
<b>BIERLY,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

For the reasons set forth in the accompanying Memorandum Opinion, the Court rules as follows:

(1) The Motions to Dismiss filed by the corporate Defendants (Doc. No. 132) and the individual Defendants (Doc. No. 138) are **DENIED**;

(2) The Motion to Strike Amended Complaint (Doc. No. 135) is **DENIED**;

(3) Plaintiffs' Motion for Leave to File Sur-Reply (Doc. No. 168) is **GRANTED**;

(4) Within ten (10) days of the date of entry of this Order, Plaintiffs shall file an Amended Complaint that does nothing more than limit their claims to those arising after March 22, 2010; and

(5) This case is returned to Magistrate Judge Newbern for further pretrial management, as well as to discuss with the parties further mediation now that the Motions to Dismiss and Strike have been denied.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Waverly D. Crenshaw, Jr.", written over a horizontal line.

WAVERLY D. CRENSHAW, JR.  
CHIEF UNITED STATES DISTRICT JUDGE